

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Regina Rucker, ex rel. Estate of
Jayvion Rucker-Todd,

Plaintiff,

v.

Case No. 14-cv-11684
Hon. Judith E. Levy
Mag. Judge Michael J. Hluchaniuk

Hyatt Regency Dearborn, et al.,

Defendants.

/

**ORDER ALLOWING THE TAKING OF DEPOSITIONS OF
CHENEKA GARDNER AND WILMA GISSANINER, EXTENDING
TIME FOR PLAINTIFF RESPOND TO DEFENDANTS' MOTION
FOR JUDGMENT ON THE PLEADINGS [11], AND DENYING AS
MOOT PLAINTIFF'S EMERGENCY MOTION TO COMPEL [21]**

This matter is before the Court on plaintiff's emergency motion for an order allowing plaintiff to take the depositions of two material witnesses, Cheneka Gardner and Wilma Gissaniner. (Dkt. 21). Both witnesses are currently incarcerated at The Andrew C. Baird Detention Facility, 570 Clinton Street, Detroit, Michigan 48226.

On July 25, 2014, the Court held a telephonic conference with the parties' counsel. The parties' counsel agreed that the deposition will

take place at the Baird detention facility on Tuesday, August 12, 2014, beginning at 10:00 A.M. and continuing until both depositions are complete.

Authorities at The Andrew C. Baird Detention Facility are to make both witnesses available to the attorneys representing the parties in this matter and to provide a conference room large enough to accommodate the court reporter, attorneys and deponents. The court reporter shall be allowed to bring into the facility a steno machine, tripod, pen, paper, and laptop equipment. The parties' counsel shall be allowed to bring in pens, paper, and a laptop computer.

Accordingly, it is ORDERED that:

The parties may take the depositions of Cheneka Gardner and Wilma Gissaniner as provided above;

Plaintiff's response to defendants' motion for judgment on the pleadings (Dkt. 11) is due on August 26, 2014;

Defendants' reply in support of their motion for judgment on the pleadings (Dkt. 11) is due on September 9, 2014; and

Plaintiff's emergency motion (Dkt. 21) is DENIED as moot.

IT IS SO ORDERED.

Dated: July 28, 2014
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on July 28, 2014.

s/Deborah J. Goltz for Felicia M. Moses
FELICIA M. MOSES
Case Manager